

Exhibit 60

LOUIS CANIGLIA, JR.
KEITH FISCHER, et al. vs GEICO

January 17, 2025

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<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE EASTERN DISTRICT OF NEW YORK</p> <p>3 KEITH FISCHER, MICHAEL) 4 O'SULLIVAN, JOHN MOESER,) 5 LOUIS PIA, THOMAS BARDEN,) 6 CONSTANCE MANGAN, and) 7 CHARISE JONES,) 8 individually and on behalf) 9 of all others similarly) 10 situated,) 11) 12 Plaintiffs,) Case No: 13) 2:23-Civ. 2848 14 -vs-) (GRB)(ARL) 15) 16 GOVERNMENT EMPLOYEES) 17 INSURANCE COMPANY d/b/a) 18 GEICO,) 19) 20 Defendant.) 21 The videotaped videoconference deposition of 22 LOUIS CANIGLIA, JR., called for examination, taken 23 pursuant to the Federal Rules of Civil Procedure of 24 the United States District Courts pertaining to the taking of depositions, taken remotely before ALICE M. SCHWINGER, CSR NO. 84-2913, a Certified Shorthand Reporter of the State of Illinois, on the 17th day of January, A.D. 2025, commencing at 10:00 a.m. Central Standard Time.</p>	<p style="text-align: right;">Page 3</p> <p>1 THE VIDEOGRAPHER: We are now on the record. 2 The time is 10:00 a.m. Central Time on January 17, 3 2025. This begins the videoconference deposition 4 of Louis Caniglia, Jr., taken in the matter of 5 Keith Fischer, et al., v. Government Employees 6 Insurance Company. This case is filed in the 7 United States District Court, Eastern District of 8 New York, Case No. 2:23 CIV 2848. 9 My name is Brent Jordan. I'm your 10 remote videographer today. The court reporter is 11 Alice Schwinger. We are representing Esquire 12 Deposition Solutions. 13 Will counsel present please identify 14 yourself and state whom you represent. 15 MR. McALLISTER: Jarron McAllister for 16 plaintiffs from Outten and Golden representing 17 Mr. Caniglia in this deposition today. 18 MR. TSONIS: Greg Tsonis from Duane Morris, 19 LLP, representing defendant GEICO. 20 THE COURT REPORTER: My name is Alice 21 Schwinger, Illinois Certified Shorthand Reporter. 22 This deposition is being held via videoconferencing 23 equipment. The witness and reporter are not in the 24 same room. The witness will be sworn in remotely</p>
<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES: 2 OUTTEN & GOLDEN, LLP, 3 (685 Third Avenue, 25th Floor, 4 New York, New York 212/245-1000, 5 516/788-7159), by: 6 MR. JARRON D. McALLISTER, 7 appeared on behalf of the Plaintiffs; 8 9 DUANE MORRIS LLP, 10 (190 South LaSalle Street, Suite 3700, 11 Chicago, Illinois 60603, 12 312/499-6700), by: 13 MR. GREGORY TSONIS, 14 appeared on behalf of the Defendant; 15 16 17 18 19 20 21 22 REPORTED BY: ALICE M. SCHWINGER, CSR 23 CSR No. 84-2913. 24</p>	<p style="text-align: right;">Page 4</p> <p>1 pursuant to agreement of all parties. The parties 2 stipulate that the testimony is being given as if 3 the witness was sworn in person. 4 (WHEREUPON, the witness was duly 5 sworn.) 6 LOUIS CANIGLIA, JR., 7 called as a witness herein, having been first duly 8 sworn, was examined and testified as follows: 9 EXAMINATION 10 BY MR. TSONIS: 11 Q. Good morning, Mr. Caniglia. 12 A. Hello. 13 Q. Can you please state and spell your name 14 for the record? 15 A. Yeah, my name is Louis Caniglia. That's 16 L-o-u-i-s, last name is Caniglia, C-a-n-i-g-l-i-a. 17 Q. All right. What's your current address? 18 A. 10 Berry Court, Congers, that's 19 C-o-n-g-e-r-s, New York 10920. 20 Q. Thank you. And, Mr. Caniglia, as I 21 said, my name is Greg Tsonis. I'm a lawyer for 22 GEICO, and I'll be taking your deposition today. 23 Have you ever been deposed before? 24 A. No.</p>

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<p style="text-align: right;">Page 77</p> <p>1 Q. Okay. Did you ever contact your 2 supervisor to report that you felt that you didn't 3 receive pay for all the hours you worked? 4 A. Yes. 5 Q. When did you do that? 6 A. I really wish I could give you, like, 7 exact dates. I just -- I can't. I mean, it 8 happened -- it happened frequently, but I don't 9 know the exact dates. 10 Q. When you say "it happened frequently," 11 what is the "it" you're referring to? 12 A. Requests for overtime payment. 13 Frequently, again, is not like every day, but it's 14 a culmination. So you're working -- you're working 15 the job and you're doing the work, and then after, 16 like, two weeks, you're putting ten hours a week in 17 overtime, like, then an e-mail like, look, I've 18 been working this, can I get some overtime kind of 19 thing, or a phone call, you know. 20 Q. Okay. So just so I'm clear, the 21 conversations that you're talking about, are 22 they -- they're either via e-mail or over the 23 phone? 24 A. I would say yes, that's correct, yes.</p>	<p style="text-align: right;">Page 79</p> <p>1 BY THE WITNESS: 2 A. I don't -- if I can recall back to my 3 conversations with my supervisors, it's possible 4 that I -- I could have said something like that, 5 like I worked 20 hours overtime and my pay -- my 6 paycheck doesn't reflect that. It's possible. 7 BY MR. TSONIS: 8 Q. But you don't recall -- 9 A. Yes. 10 Q. You don't recall any conversation like 11 that? 12 A. Do I recall any -- I just said that, 13 it's definitely possible that I said that to my 14 supervisors, and it fell on deaf ears. 15 Q. So you're saying it's possible, but do 16 you recall any specific conversation like that? 17 A. A specific date and time, no; but, yes, 18 I've definitely expressed my overtime to my 19 supervisors over the phone, and I wasn't 20 compensated for it. 21 Q. Okay. So when you say -- 22 A. I don't know how far up that goes up the 23 line after the supervisor, if the manager or the 24 vice president or -- again, I can't attest to any</p>
<p style="text-align: right;">Page 78</p> <p>1 Q. Okay. And when you would have those 2 conversations, it sounds like part of that either 3 e-mail or conversation would be requesting 4 overtime? 5 A. Yes. 6 Q. All right. And those conversations, 7 though, didn't say I feel like my pay doesn't -- my 8 paycheck that I received doesn't reflect the hours 9 that I actually worked, right, as we were looking 10 at in the handbook? 11 A. I don't -- 12 MR. McALLISTER: Objection. 13 BY THE WITNESS: 14 A. I don't know. Can you rephrase that, 15 Counsel? I think you're summarizing my statements 16 a little bit. 17 BY MR. TSONIS: 18 Q. Right. I guess I'm trying to get 19 specifically as to an understanding as to what you 20 would say. You wouldn't say I worked, you know, 50 21 hours last week, and my paycheck does not reflect 22 that; right? 23 MR. McALLISTER: Objection. 24</p>	<p style="text-align: right;">Page 80</p> <p>1 of that, but I can only attest to what I told my 2 supervisor. 3 Q. That's what I'm trying to figure out. 4 What are you claiming you specifically told your 5 supervisor? 6 A. That I worked on cases over the 7.75 7 time period, and why is it not reflected in my 8 paycheck? 9 Q. Did you use those precise words? 10 A. It's possible, yeah, I might have used 11 those words, yes. 12 Q. Okay. You're saying it's possible, I 13 guess. Do you have a recollection, or are you just 14 saying it's possible? 15 A. I'm saying it's possible. 16 Q. So you don't specifically recall what 17 words you might have used? 18 A. It was a long time ago. No, I don't. I 19 don't have the conversation recorded. I'm not 20 trying to be difficult. I understand where 21 you're -- I get it. I just -- I can say that I've 22 asked for overtime during that time frame. I don't 23 know exactly what I said, though. I can't recall 24 exactly what I said.</p>

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<p style="text-align: right;">Page 81</p> <p>1 Q. Okay. So in those conversations, you'd</p> <p>2 ask for overtime, but you don't recall specifically</p> <p>3 what you said?</p> <p>4 A. No, I'd ask for overtime, and, again, I</p> <p>5 don't recall exactly what I said because it was so</p> <p>6 long ago.</p> <p>7 Q. Okay. And which supervisors did you</p> <p>8 have those conversations with?</p> <p>9 A. Gerry Cassagne, Toni D'Agata.</p> <p>10 Q. Any others?</p> <p>11 A. I might have had a conversation with</p> <p>12 Theresa Bishop, but again, I don't know exactly the</p> <p>13 time frame or what I said.</p> <p>14 Q. Okay.</p> <p>15 A. In terms of -- I know what I said, but I</p> <p>16 don't -- I don't understand -- the best way to</p> <p>17 answer the question is I don't exactly know what I</p> <p>18 said at that particular time because it was so long</p> <p>19 ago. That's the best way I can put it.</p> <p>20 Q. Okay. So Gerry Cassagne was your</p> <p>21 supervisor throughout the time period of 2016 to</p> <p>22 some point of 2021; is that right?</p> <p>23 A. I think that's right, yes.</p> <p>24 Q. All right. Within that time period,</p>	<p style="text-align: right;">Page 83</p> <p>1 Q. Well, I guess, you're the one claiming</p> <p>2 that you had conversations with Gerry Cassagne, so</p> <p>3 I'm just trying to get your understanding and your</p> <p>4 recollection of what his response would be.</p> <p>5 A. I mean, he was my supervisor for five</p> <p>6 years. I can't recall five years' worth of</p> <p>7 conversations with the gentleman. I mean, can you</p> <p>8 recall five years of conversations with people? I</p> <p>9 mean, it's -- I'm -- again, I'm not trying to be</p> <p>10 difficult. I think I answered it the best I can,</p> <p>11 so...</p> <p>12 Q. Okay. I'm going to switch gears, but I</p> <p>13 just want to close the loop on a couple of things.</p> <p>14 Did you ever --</p> <p>15 A. Okay.</p> <p>16 Q. -- report to your -- as it says in the</p> <p>17 associate handbook, you know, it identifies local</p> <p>18 human resources manager and corporate human</p> <p>19 resources. Did you ever report to your local human</p> <p>20 resources manager that your -- you didn't receive</p> <p>21 pay for all the hours that you actually worked?</p> <p>22 A. I'm sorry. Am I supposed to be</p> <p>23 scrolling through something, like, to look --</p> <p>24 Q. No, you don't have to look at the</p>
<p style="text-align: right;">Page 82</p> <p>1 that's a period -- that's a multi-year time period,</p> <p>2 are there specific times within that multi-year</p> <p>3 time period that you had these conversations with</p> <p>4 Gerry Cassagne?</p> <p>5 A. I can't -- I can't again say the</p> <p>6 specific times, but there were time periods that I</p> <p>7 did have conversations with Gerry Cassagne, yes,</p> <p>8 regarding overtime.</p> <p>9 Q. Were there some years where you didn't</p> <p>10 have those conversations?</p> <p>11 A. Not that I recall. I mean, I'm going to</p> <p>12 say no to that.</p> <p>13 Q. And when you would have those</p> <p>14 conversations with Gerry Cassagne, what would his</p> <p>15 response be?</p> <p>16 A. Gerry's responses would be it's not --</p> <p>17 overtime is not approved sometimes. Again, it's</p> <p>18 difficult to say every conversation. Sometimes</p> <p>19 overtime was approved, premium time was approved,</p> <p>20 or you can't put in for overtime or you can't put</p> <p>21 in for premium time. So it's -- I understand where</p> <p>22 your question is going, and I get it. It's very</p> <p>23 difficult to answer that question. Can you be more</p> <p>24 specific?</p>	<p style="text-align: right;">Page 84</p> <p>1 document for reference. I'm just asking you a</p> <p>2 basic factual question.</p> <p>3 A. Okay.</p> <p>4 Q. Did you ever report to your local human</p> <p>5 resources manager that you did not receive pay for</p> <p>6 all the hours you actually worked?</p> <p>7 A. I'm going to say no.</p> <p>8 Q. All right. Did you ever --</p> <p>9 A. Yes, no. Sorry.</p> <p>10 Q. Did you ever report to corporate human</p> <p>11 resources that you -- you did not receive pay for</p> <p>12 all the hours you actually worked?</p> <p>13 A. I didn't even know we could do that, but</p> <p>14 no.</p> <p>15 Q. Okay. Were you aware that GEICO</p> <p>16 maintains like a Berkshire Hathaway ethics hotline?</p> <p>17 A. Yes.</p> <p>18 Q. Did you ever report to the Berkshire</p> <p>19 Hathaway ethics hotline that you did not receive</p> <p>20 pay for all hours that you actually worked?</p> <p>21 A. I did not.</p> <p>22 Q. Okay. So I'm going to drop another</p> <p>23 exhibit into the chat here. You should be getting</p> <p>24 it now. This is going to be marked as Exhibit 2,</p>

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<p style="text-align: right;">Page 233</p> <p>1 MR. McALLISTER: Objection.</p> <p>2 BY THE WITNESS:</p> <p>3 A. I would disagree with that.</p> <p>4 BY MR. TSONIS:</p> <p>5 Q. You don't think working additional hours</p> <p>6 helped improve your metrics?</p> <p>7 MR. McALLISTER: Objection.</p> <p>8 BY THE WITNESS:</p> <p>9 A. I think that working the core metric</p> <p>10 hours or working extra hours decreased my core</p> <p>11 metric performance because if you do the math in</p> <p>12 terms of hours worked versus cases closed, if you</p> <p>13 increase the hours worked, it will decrease your</p> <p>14 productivity. So I was trying to be more</p> <p>15 product -- I was, like, honestly trying to be more</p> <p>16 productive, but it just didn't work out.</p> <p>17 And I also wanted to keep the</p> <p>18 investigation process as transparent. And in a</p> <p>19 way, I know investigations take a long time,</p> <p>20 sometimes, but other times when you get something</p> <p>21 across your desk and it's someone's insurance</p> <p>22 claim, which they have a contract with GEICO, it</p> <p>23 was like, okay, there's not really fraud here. It</p> <p>24 came across. I don't know how it came across.</p>	<p style="text-align: right;">Page 235</p> <p>1 cases.</p> <p>2 Q. Okay. So using your analogy --</p> <p>3 A. Sure.</p> <p>4 Q. -- that would only be true if you were</p> <p>5 actually entering the additional time into Workday;</p> <p>6 right?</p> <p>7 MR. McALLISTER: Objection.</p> <p>8 BY THE WITNESS:</p> <p>9 A. No.</p> <p>10 BY MR. TSONIS:</p> <p>11 Q. How would the productivity metric that's</p> <p>12 assessed take into account time that you claim you</p> <p>13 worked but didn't enter into the company's</p> <p>14 timekeeping software?</p> <p>15 A. That's a great question. I mean, I</p> <p>16 think that's a question for GEICO management to --</p> <p>17 Q. Well, do you have any basis for thinking</p> <p>18 that it was accounted for in your productivity</p> <p>19 metrics?</p> <p>20 A. It was. It was negatively accounted for</p> <p>21 in terms of I was less productive for doing more</p> <p>22 work.</p> <p>23 Q. How was it negatively productive --</p> <p>24 negatively affecting your productivity when those</p>
<p style="text-align: right;">Page 234</p> <p>1 Again, I can't attest to how it did, but I'm not --</p> <p>2 I'm not going to waste somebody's time or -- you</p> <p>3 know, if there's no fraud there, I'm not going to</p> <p>4 investigate it as thoroughly as I would if I do</p> <p>5 find fraud indicators early. I don't know.</p> <p>6 That --</p> <p>7 BY MR. TSONIS:</p> <p>8 Q. Well, let me go back to what you said in</p> <p>9 the beginning, though. You said --</p> <p>10 A. Sure.</p> <p>11 Q. -- you disagree because working --</p> <p>12 because you're rated from a productivity standpoint</p> <p>13 on how many hours you're also spending to close</p> <p>14 those cases. Is that -- did I misstate your</p> <p>15 testimony?</p> <p>16 A. How many hours am I working. So what I</p> <p>17 said was that if I -- if you -- if you closed</p> <p>18 five -- let me just try to -- if you close five --</p> <p>19 just say you hypothetically get five cases in a</p> <p>20 week and you work 48 hours to close those five</p> <p>21 cases, and then next week you get five case and it</p> <p>22 only takes you 37.75, the first week that I said,</p> <p>23 you would be rated less no matter what just because</p> <p>24 of the number, it took you longer to work those</p>	<p style="text-align: right;">Page 236</p> <p>1 hours weren't documented anywhere, according to</p> <p>2 you?</p> <p>3 A. Because in the core metrics, at the end</p> <p>4 of the year, if I took more time than 38.75 hours</p> <p>5 to complete -- we'll use -- I'll use an example of</p> <p>6 five cases. If I could work five cases in 38.75</p> <p>7 and then the next week I got ten cases, I could</p> <p>8 only put 38.75 hours in. So if I did ten cases in</p> <p>9 38.7 hours, if I put more work in, which I did, I</p> <p>10 could be negatively impacted on my core metrics.</p> <p>11 Q. If you were to put in ten additional</p> <p>12 hours and you log those in the system, is what</p> <p>13 you're saying that your productivity number would</p> <p>14 be negatively affected because you are taking 48.75</p> <p>15 hours to close those cases now?</p> <p>16 A. Yes, that's correct, Counsel.</p> <p>17 Q. Okay. Now, I guess what I'm saying is</p> <p>18 if you don't enter those hours and in GEICO's</p> <p>19 system it looks like you're only working 38.75</p> <p>20 hours to close, don't you get the benefit of the</p> <p>21 increased productivity number?</p> <p>22 MR. McALLISTER: Objection.</p> <p>23 BY THE WITNESS:</p> <p>24 A. Maxed out at 5, and then have to deal</p>

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<p>1 STATE OF ILLINOIS) 2) SS: 3 COUNTY OF DUPAGE) 4 I, ALICE M. SCHWINGER, CSR No. 84-2913, 5 a Certified Shorthand Reporter of the State of 6 Illinois, do hereby certify: 7 That previous to the commencement of the 8 examination of the witness, the witness was duly 9 sworn to testify the whole truth concerning the 10 matters herein; 11 That the foregoing deposition transcript 12 was reported stenographically by me, was thereafter 13 reduced to typewriting under my personal direction 14 and constitutes a true record of the testimony 15 given and the proceedings had; 16 That the said deposition was taken 17 before me at the time and place specified; 18 That I am not a relative or employee or 19 attorney or counsel, nor a relative or employee of 20 such attorney or counsel for any of the parties 21 hereto, nor interested directly or indirectly in 22 the outcome of this action. 23 IN WITNESS WHEREOF, I do hereunto set my 24 hand at Woodridge, Illinois, this 21st day of</p>	<p>1 I N D E X 2 EXAMINATION PAGE 3 LOUIS CANIGLIA, JR., 4 EXAMINATION 4 5 BY MR. TSONIS: 6 E X H I B I T S 7 8 Exhibit No. 1 69 9 Exhibit No. 2 85 10 Exhibit No. 3 98 11 Exhibit No. 4 102 12 Exhibit No. 5 104 13 Exhibit No. 6 110 14 Exhibit No. 7 214 15 Exhibit No. 8 224 16 Exhibit No. 9 243 17 Exhibit No. 10 245 18 Exhibit No. 11 246 19 Exhibit No. 12 249 20 Exhibit No. 13 253 21 22 23 24</p>
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<p>1 January, A.D. 2025. 2 3 4 <i>Alice M. Schwinger</i> 5 6 Certified Shorthand Reporter 7 8 9 ALICE M. SCHWINGER, CSR No. 84-2913 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	<p>1 DEPOSITION ERRATA SHEET 2 Our Assignment No. J12275709 3 Case Caption: Fischer, et al 4 vs. Government Employees Insurance Company 5 DECLARATION UNDER PENALTY OF PERJURY 6 I declare under penalty of perjury 7 that I have read the entire transcript of 8 my deposition taken in the captioned matter 9 or the same has been read to me, and 10 the same is true and accurate, save and 11 except for changes and/or corrections, if 12 any, as indicated by me on the deposition 13 errata sheet hereof, with the understanding 14 that I offer these changes as if still under 15 oath. 16 Signed on the _____ day of 17 _____, 2025. 18 19 _____ 20 Louis Caniglia, Jr. 21 22 23 24</p>